

REMARKS

This Amendment is being filed in response to the Final Office Action mailed June 25, 2008, which has been reviewed and carefully considered. Entry of the present amendment and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1 and 3-8 remain in this application, where claim 2 has been canceled by this amendment without prejudice. Applicants reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

In the Final Office Action, the Examiner objected to the specification for certain informalities. In response, the specification has been amended to remove the informalities noted by the Examiner. Accordingly, withdrawal of the objection to the specification is respectfully requested.

In the Final Office Action, claim 2 is rejected under 35 U.S.C. §101 as allegedly directed to non-statutory subject matter. Without agreeing with the position forwarded in the Final Office Action, and in the interest of advancing prosecution, claim 2 has

been cancelled without prejudice. The cancellation of claims 2 renders moot these rejections under 35 U.S.C. §101.

In the Final Office Action, claims 1 and 3-8 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Application Publication No. 2002/0034268 (Miyabe) in view of U.S. Patent No. 6,134,211 (Miyabe-211) and U.S. Patent No. 5,703,845 (Audoin). It is respectfully submitted that claims 1 and 3-8 are patentable over Miyabe, Miyabe-211 and Audoin for at least the following reasons.

As correctly noted on page 5 of the Final Office Action, Miyabe does not disclose or suggest "sampling said satellite signals to form sampled satellite signals with converters that receive a fixed clock; [and] filtering said satellite signals with adaptive filters that run on a fixed clock," as recited in independent claim 1, and similarly recited in independent claim 3. Miyabe-211 is cited in an attempt to remedy the deficiencies in Miyabe.

Miyabe-211 shows in FIGs 1 and 5 converters 5a-5c that receive a clock from a PLL circuit 10. As specifically recited on column 1, lines 42-47 and column 5, lines 62-67, the PLL circuit 10

"generates a clock signal having an oscillating frequency corresponding to the amount of a phase error, and supplies the clock signal to the A/D converters 5a-5c." (Column 1, lines 46)

That is, the clock signal frequency is not fixed and depends on the amount of error. This is even acknowledged in the Final Office Action, page 5, third full paragraph, where the PLL generated clock is analogized to the bit clock. Accordingly, Miyanabe, Miyanabe-211, and combination thereof do not disclose or suggest "sampling said satellite signals to form sampled satellite signals with converters that receive a fixed clock; [and] filtering said satellite signals with adaptive filters that run on the fixed clock," as recited in independent claim 1, and similarly recited in independent claim 3. (Illustrative emphasis provided)

Assuming, arguendo, that the combination of Miyanabe and Miyanabe-211 disclose or suggest that above noted features of the present application, Miyanabe and Miyanabe-211 still do not disclose or suggest "estimating a ratio between the bit clock and the fixed clock, and taking said ratio into account during the updating act," as recited in independent claim 1, and similarly recited in independent claim 3, and as correctly noted on page 6 of

the Final Office Action. Element 4 in FIGs 7a-b and 10a, and column 6, lines 11-15 of Audoin are cited in an attempt to remedy the deficiencies Miyanabe and Miyanabe-211.

It is respectfully submitted that the noted sections of Audoin merely disclose signals such as Cgp Cdp, Cgi, Cdi, Egp and Edp. Each of these signals is not representative of any ratio. It is alleged that Egp and Edp represent ratios, but column 5, lines 65-66 specifically recite that Egp and Edp are two elements multiplied together, namely:

$$\text{Edp} = \text{X}'\text{p}(\text{k}-1) * \text{Sgn}[\text{X}'\text{i}(\text{k}-1)] \text{ and}$$

$$\text{Egp} = \text{X}'\text{p}(\text{k}-1) * \text{Sgn}[\text{X}'\text{i}(\text{k}-2)]$$

There is simply no disclosure or suggestion in Miyanabe, Miyanabe-211, and Audoin, alone or in combinations, of any ratio, let alone teaching or suggesting "a ratio between a bit clock that drives the time recovery means and a fixed clock that drives the filtering means, and ... providing said ratio to said updating means," as recited in independent claim 3, and similarly and recited in independent claim 1.

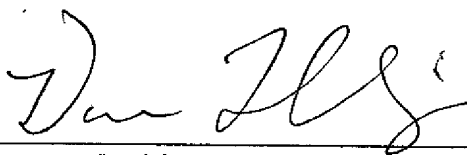
Accordingly, it is respectfully submitted that independent claims 1 and 3 should be allowable, and allowance thereof is

respectfully requested. In addition, it is respectfully submitted that claims 2 and 4-8 should also be allowed at least based on their dependence from amended independent claims 1 and 3.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
Dicran Halajian, Reg. 39,703  
Attorney for Applicant(s)  
August 23, 2008

**THORNE & HALAJIAN, LLP**  
Applied Technology Center  
111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101